

Appl. No. 10/643,731  
Reply to Office Action of May 25, 2005  
Page 7 of 10

### REMARKS

In the May 25, 2005 Office Action, the Office rejected claims 1-8 and 10-20 and objected to claim 9. This Response amends claims 1, 11, 14, and 18 and cancels claims 8 and 9. After entry of the foregoing amendments, claims 1-7 and 10-20 (18 total claims; 3 independent claims) remain pending in the application. Reconsideration of this application is respectfully requested in view of the above amendments and the following remarks.

#### Allowable Subject Matter

In this Office Action, claim 9 is objected to as being dependent upon a rejected base claim but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Independent claims 1, 11, and 18 are amended to incorporate the limitations of claim 9, and Applicant respectfully submits that these amended claims are allowable.

#### Claim Objections

In this Office Action, claims 1, 8, and 14 are objected due to various informalities. Claims 1 and 14 are amended to address the Examiner's concerns and claim 8 is canceled without prejudice, and Applicant thus requests the withdrawal of the objections. These amendments, which merely address informalities are not made for purposes of distinguishing prior art or for other reasons related to patentability. These amendments do not impact the substantive scope of the claims and do not affect the scope of legal equivalents.

#### Claim Rejections under §112

In this Office Action, claim 8 stand rejected under 35 U.S.C. §112, second paragraph, as being indefinite. Claim 8 is canceled, and Applicant requests the withdrawal of the §112 rejection.

Appl. No. 10/643,731  
Reply to Office Action of May 25, 2005  
Page 8 of 10

#### Claim Rejections under §102

In this Office Action, claim 11-17 stand rejected under 35 U.S.C. §102(b) as being anticipated by Rangan (U.S. Patent No. 5,995,981). Applicant respectfully traverses this rejection.

Claim 11 is amended to recite the step of "storing a flag prior to turning the power switch OFF, the flag indicating whether or not a match had been identified". Applicant submits that the cited references do not disclose this step.

Rangan discloses entering a code using various combinations of pressing a LOCK button, an UNLOCK button, a TRUNK button, and a PANIC button on a remote key-less device to match a programmed security code. Upon a successful match and after an authentication wait period, the device switches to an armed mode allowing the user to use the LOCK, UNLOCK, and PANIC buttons. However, Rangan does not disclose or suggest remembering whether a security code match was obtained.

Because Rangan does not disclose the step of storing a flag recited in amended claim 11, Applicant submits that amended claim 11 is patentably distinguished from Rangan. Because claims 12-17 depend from amended claim 11 or an intermediate claim depending from amended claim 11, Applicant submits that claims 12-17 are likewise patentably distinguished from Rangan. For the foregoing reasons, Applicant respectfully requests withdrawal of the §102(b) rejection of claims 11-17.

#### Claim Rejections Under §103(a)

In this Office Action, claims 1-6, 10, and 18-20 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Lambropoulos (U.S. Patent No. 5,442, 341) in view of Rangan (U.S. Patent No. 5,995,981). Additionally, claims 7 and 8 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Lambropoulos (U.S. Patent No. 5,442, 341) in view of Rangan (U.S. Patent No. 5,995,981) as applied to claim 1 above, and further in view of Rho (U.S. Patent 4,757,304). Applicant respectfully traverses these rejections.

Claim 1 is amended to recite "a flag configured to indicate whether or not a match had been detected and further configured to be stored prior to turning the switch OFF". Claim 18 is

Appl. No. 10/643,731  
Reply to Office Action of May 25, 2005  
Page 9 of 10

amended to recite "a flag configured to indicate whether or not a match had been detected and further configured to be stored prior to turning the switch OFF". Applicant submits that the cited references, either alone or in combination, do not disclose all of the elements of amended claims 1 and 18, respectively. Claims 8 and 9 are canceled without prejudice.

Lambropoulos generally discloses a remote control transmitter/receiver that transmits a digital signal in response to an actuation of one or more lock/unlock switches. The digital signal has a security code identifying the transmitter, a sequence control code that is changed in response to each actuation of the switches, and a function code, and the transmitter sequentially changes the sequence control code based on information contained in the security code. Lambropoulos also discloses actuation of a power up circuit upon depressing a switch that directs power to a microcomputer and actuates oscillators to transmit a coded signal. However, Lambropoulos does not disclose or suggest a flag that indicates whether a match was detected.

Because the cited references do not disclose a flag, Applicant submits that amended claims 1 and 18 are patentable over Lambropoulos in view of Rangan. Because claims 2-7, 19 and 20 depend from one of claims 1 and 18 or an intermediate claim depending therefrom, Applicant submits that claims 2-7, 19, and 20 are likewise patentably distinguished over Lambropoulos in view of Rangan. From the foregoing discussion, Applicant respectfully requests the withdrawal of the §103(a) rejection of claims 1-8, 10, and 18-20.

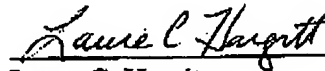
In view of Applicant's remarks and the amendments, it is respectfully submitted that the rejections under 35 USC §§112, 102 and 103, have been overcome. Accordingly, Applicant respectfully submits that the application is in condition for allowance, and such allowance is therefore earnestly requested. Should the Examiner have any questions or wish to further discuss this application, Applicant requests that the Examiner contact the Applicant's attorneys at 313-665-4710.

In conclusion, for the reasons given above, all claims now presently in the application are believed allowable and such allowance is respectfully requested. If for some reason Applicant has not requested a sufficient extension and/or has not paid a sufficient fee for this Response and/or for the extension necessary to prevent abandonment on this application, please

Appl. No. 10/643,731  
Reply to Office Action of May 25, 2005  
Page 10 of 10

consider this as a request for an extension for the required time period and/or authorization to charge Deposit Account No. 07-0960 for any fee which may be due.

Respectfully submitted,



Laura C. Hargitt

Reg. No. 43,989

Telephone: 313-665-4710